

### REMARKS

Claims 1-76 are currently pending in the application. Claims 1-47 have been canceled. Claims 48, 50, and 76 have been amended. Applicant has amended the specification to recite the priority claim in the Related Applications section of the application as recognized on the official filing receipt. Applicant respectfully requests reconsideration of the pending claims in view of the following remarks.

#### Claim Rejections – 35 U.S.C. § 101

The Examiner rejected Claims 48-75 under 35 U.S.C. § 101 because the claimed invention is directed to non-statutory subject matter.

Applicant has amended independent Claim 48 to recite “wherein the calling application is further configured to process the stored debit data, determine whether to allow the debit transaction, and generate a response message to the merchant with the determination.” The specific recitation of generating a response message to the merchant provides a concrete, tangible, and useful result. Accordingly, Applicant respectfully requests the Examiner to withdraw this rejection.

#### Claim Rejections – 35 U.S.C. § 102

The Examiner rejected Claims 48-50, 54-63, and 66-76 under 35 U.S.C. § 102 as being anticipated by U.S. Patent No. 6,488,206 (“Flaig”).

Flaig does not disclose the subject matter of amended independent Claim 48. More specifically, Flaig does not disclose a debit data validation system for a network, the system comprising:

- a calling application configured to receive a request to validate debit data from a merchant, and receive transactional debit data that is to be validated;

- a debit data search engine including a keying module and a matching module, wherein the debit data search engine is configured to receive the transactional debit data from the calling application, and process the transactional debit data to identify a consumer key;

- a debit data warehouse including stored debit data, wherein the debit data warehouse is configured to retrieve the stored debit data associated with the consumer key wherein the stored debit data is representative of at least one consumer, and further wherein the consumer key links the stored debit data gathered from a plurality of data sources; and

wherein the calling application is further configured to process the stored debit data, determine whether to allow the debit transaction, and generate a response message to the merchant with the determination.

Rather, Flaig discloses an automated card activation system 10 to be accessed by a cardholder who has obtained possession of a card 11. The system 10 includes a terminal 12 coupled to a call center 14 through a network 16. The call center 14 includes a report generation unit 20, a user/administration interface module 22, and a response unit 24. The response unit 24 is associated with a set of validation rules 25 set by the card issuer. The processor 18 interacts with a cardholder database 26 and a message database 28.

The cardholder database 26 includes a plurality of cardholder records 32 based on cardholder applications. Each record 32 includes an account number 35, a card number 37, a cardholder name 39, and security information 41. The message database 28 includes information related to card activation events and other activation session activity.

The system of Flaig does not relate to “a calling application configured to receive a request to validate debit data from a merchant.” Instead, the system of Flaig is accessed by a consumer who just received a credit card and needs to activate the card for future use. The system of Flaig also does not include the “debit data warehouse is configured to retrieve the stored debit data associated with the consumer key wherein the stored debit data is representative of at least one consumer, and further wherein the consumer key links the stored debit data gathered from a plurality of data sources.” Instead, the system of Flaig has preestablished records 32 that contain all the necessary information on the particular consumer. There is no need to identify a key in order to gather or link data found in different data sources. Furthermore, the system of Flaig does not “determine whether to allow the debit transaction, and generate a response message to the merchant with the determination.” In contrast, the system of Flaig merely indicates whether to activate a recently received debit card or charge card.

For at least these reasons, Flaig does not disclose the subject matter of Claim 48. Accordingly, independent Claim 48 is allowable. Claims 49-75 depend from Claim 48 and are allowable for at least the reasons Claim 48 is allowable.

Flaig does not disclose the subject matter of amended independent Claim 76. More specifically, Flaig does not disclose a method of conducting a debit data validation of a consumer involved in a debit transaction, the method comprising:

receiving a request from a merchant to validate debit data of the consumer involved in a debit transaction;

receiving transactional debit data that is to be validated;  
retrieving a consumer key based on at least a portion of the transactional debit data, the consumer key linking debit data from a plurality of data sources;  
analyzing the debit data associated with the consumer key; and  
generating a response message to the merchant, wherein the response message is indicative of one of a first condition and a second condition, wherein the first condition is a validation of the debit data, and further wherein the second condition is a lack of validation of the debit data of the consumer.

As noted above, the system of Flaig does not “receiv[e] a request from a merchant to validate debit data of the consumer involved in a debit transaction relate to a debit transaction occurring with a merchant” or “retriev[e] a consumer key based on at least a portion of the transactional debit data, the consumer key linking debit data from a plurality of data sources.”

For at least these reasons, Flaig does not disclose the subject matter of Claim 76. Accordingly, independent Claim 76 is allowable.

Claim Rejections – 35 U.S.C. § 103

The Examiner rejected Claims 51-53 and 64-65 under 35 U.S.C. § 103 as being unpatentable over Flaig in view of U.S. 6,026,398 (“Brown”).

Claims 51-53 and 64-65 depend from Claim 48 and are allowable for at least the reasons discussed above with respect to Claim 48. As noted above, Flaig does not disclose the subject matter of Claim 48. Brown does not cure the deficiencies of Flaig for at least the reasons discussed in the previous Office action response.

**CONCLUSION**

In view of the foregoing, entry of this Amendment and allowance of the pending claims are respectfully requested. The undersigned is available for telephone consultation during normal business hours.

Respectfully submitted,

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